

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

KELLY FOODS OF ALABAMA,)
INC.,)
)
 Plaintiff,)
) CIVIL ACTION NO.
 v.) 1:04cv1246-MHT
)
)
 MYERS NISSI & COMPANY,)
 INC., etc.,)
)
 Defendant.)

ORDER

It is ORDERED that this cause is hereby set for a pretrial hearing as provided by Rule 16 of the Federal Rules of Civil Procedure, on August 4, 2006, at 9:30 a.m. in Chambers 200FMJ, Frank M. Johnson, Jr. U.S. Courthouse Complex, One Church Street, Montgomery, Alabama.

At the pretrial hearing, the court will consider the matters addressed by Rule 16. All parties are expected to have complied fully with this court's previously entered Rule 16 uniform scheduling order. All parties should prepare and have ready all stipulations and possible admissions of fact and of documents which might avoid unnecessary proof upon trial.

ANY PRO SE LITIGANTS and ALL ATTORNEYS who are to try this case must appear at the time above designated and be fully prepared to state the facts of the case in the most minute detail, and to admit all facts that are true.

Appropriate penalties will be imposed for failure to comply with these requirements.

All motions which have not been otherwise submitted or ruled on will be heard at the above stated time.

The parties are DIRECTED to prepare JOINTLY a proposed pretrial order in accordance with the attached outline. The plaintiff(s) shall insure that the proposed pretrial order is received by the court NOT LATER THAN TWO BUSINESS days prior to the pretrial conference by either (1) delivery of the order (both hard copy and on disk) to chambers or (2) transmitting an electronic copy of the proposed pretrial order to the court as an attachment to an email message sent to <propord_thompson@almd.uscourts.gov>. For these purposes, the electronic or disk copy should be in WordPerfect or Word format and not in Adobe Acrobat PDF format. If the plaintiff is pro se, then the defendant(s) shall have this responsibility.

TRIAL TERM COMMENCES September 11, 2006, in Dothan, Alabama.

DONE, this the day of June, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE

NOTICE

TO: All Attorneys
FROM: Judge Myron H. Thompson

The proposed pretrial order must be joint, and
not piecemeal; and it should be reviewed and approved by
all parties BEFORE the pretrial hearing.

OUTLINE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, () DIVISION

(Style))
) CIVIL ACTION NO. _____
)

ORDER ON PRETRIAL HEARING

A pretrial hearing was held in this case on
_____, wherein the following proceedings were held
and actions taken:

1. PARTIES AND TRIAL COUNSEL:

COUNSEL APPEARING AT PRETRIAL HEARING: (same as
trial counsel) or (indicate if different)

(2) JURISDICTION AND VENUE:

(3) PLEADINGS: The following pleadings and
amendments were
allowed:

(4) CONTENTIONS OF THE PARTIES:

(1) The plaintiff(s)

(2) The defendant(s)

(5) STIPULATIONS BY AND BETWEEN THE PARTIES:

PLEASE LEAVE ORDER UNFINISHED AT THIS POINT

FOR COMPLETION BY THE COURT